

COVID-19 Emergency Manufacturing Act of 2020

Representative Jan Schakowsky (D-IL) and Senator Elizabeth Warren (D-MA)

The coronavirus disease 2019 (COVID-19) pandemic has left critical American drug and medical device supply chains at risk of disruption and shortage. Since the start of the COVID-19 outbreak, medical providers and essential workers have reported shortages of the personal protective equipment (PPE) necessary to prevent the spread of the virus, including masks, gowns, and face shields. Meanwhile, as caseloads have increased nationwide, doctors have reported shortages of drugs needed to treat COVID-19 patients, such as intubation drugs, as well as drugs used to treat non-COVID conditions and illnesses. The ability to test for COVID-19 has also been hampered by shortages of swabs, chemical reagents, and other materials necessary to produce and administer diagnostics. Despite this slew of shortages, President Trump has refused to invoke the Defense Production Act to boost supplies and direct distribution.

In December 2019, Senator Warren and Representative Schakowsky re-introduced the *Affordable Drug Manufacturing Act*, a bill that would require the federal government to publicly manufacture certain generic drugs. Building on their initial public manufacturing bill, the lawmakers have developed the *COVID-19 Emergency Manufacturing Act of 2020*, a bill that would leverage the manufacturing capacity of the federal government to help combat the COVID-19 pandemic. The bill would:

- **Establish an Emergency Office of Manufacturing for Public Health** to ensure an adequate supply of drugs, devices, biological products, active pharmaceutical ingredients, and other supplies necessary to diagnose, mitigate, and treat COVID-19 and to address shortages in products used to treat non-COVID conditions and illnesses.
- **Require the Office to manufacture, or enter into contracts to manufacture, COVID-19 products** and other critical drugs and medical devices in shortage. The Office will be required to provide COVID-19 products at no cost to federal, state, local, and tribal health programs and to sell COVID-19 products at cost to international and other commercial entities. The Office will be required to sell the additional products it manufactures at a transparent and reasonable price to domestic and international entities.
- **Direct the Office to begin manufacturing PPE, diagnostic test materials, COVID-19 treatment drugs** within one month of the Act's passage. The Office will prioritize production of items that have most impact on public health and the economy, that address shortages, and that alleviate demographic disparities in COVID-19.
- **Direct the Office to begin constructing, or enter into contracts to construct, vaccine and therapeutic manufacturing facilities** to ensure the immediate production, at-scale, of COVID-19 vaccines when such vaccines become available.
- **Provide transparency** into the Office's activities by mandating Inspector General reviews of all of the Office's contracts, requiring periodic reports to Congress, and forcing the Office to publicly post its prices for COVID-19 and other products, as well as any licensing agreements.

ENDORSING ORGANIZATIONS

The COVID-19 Emergency Manufacturing Act of 2020 has been endorsed by Public Citizen, Center for American Progress, Social Security Works, Indivisible, Center for Medicare Advocacy, American Federation of Teachers, Knowledge Ecology International, Action Center on Race and the Economy, MomsRising, Families USA, People's Action, Voices for Progress, Treatment Action Group, Consumer Action, UNITE HERE!, Progressive Democrats of America, National Women's Health Network, Coalition on Human Needs, Labor Campaign for Single Payer, Health Care for America Now, PrEP4All, NETWORK Lobby for Catholic Social Justice, Lower Drug Prices Now, Universities Allied for Essential Medicines, National Adult Day Services Association, National Association of Social Workers, National Association for Home Care and Hospice, National Consumer Voice for Quality Long-Term Care, American Medical Students Association, Democracy Collaborative, Main Street Alliance Action Fund, Center for Popular Democracy Action, Faith in Healthcare, Oxfam America, Doctors for America, National Committee to Preserve Social Security and Medicare.